



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Am

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,256	08/10/2001	Suresh L. Konda	287946-00001	5680

7590 06/03/2005

Kirk D. Houser
Eckert Seamans Cherin & Mellott, LLC
44th Floor
600 Grant Street
Pittsburgh, PA 15219

EXAMINER

WALSH, JOHN B

ART UNIT PAPER NUMBER

2151

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,256

Applicant(s)

KONDA ET AL.

Examiner

John B. Walsh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) 41-47, 62-67, 75-77 and 82-86 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 6, 7, 16-19, 21-31, 33-40, 48-56, 59 and 78-81 is/are rejected.
- 7) ☒ Claim(s) 2-5, 8-15, 20, 32, 57, 58, 60, 61 and 68-74 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/18/01&12/16/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 41-47, 62-67, 75-77 (dependent upon non-elected claim) and 82-86 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 4, 2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 6, 7, 16, 18, 19, 21-31, 33-40, 48-56, 59 and 78-81 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,406,557 to Baudoin.

As concerns claim 1, at least one client (6,8,20) adapted to initiate a request for transformation of data; a plurality of peer transformation servers (14, column 4, line 9, column 15, lines 23-31) including a plurality of data converters (16, 18, column 3, lines 20-25, lines 36-38); said servers adapted to receive said request and select at least one intermediate data format from said first data format to at least one intermediate data format (column 3, lines 20-25, lines 36-38, "universal format") and a final data transformation from said intermediate format to said second data format (lines 36-38); said converters to obtain said data in said second data format

Art Unit: 2151

and dispose said data in the second data format (disposes second data format in email message); a communication network (figure 1).

As concerns claim 6, a plurality of data converters (figure 1, 16a-d, 18a-d).

As concerns claim 7, said first transformation server includes a first data converter (16,18, column 3, lines 20-25, lines 36-38) for one of said edges; said second transformation server (lines 36-38) includes a second data converter for one of said edges (16,18, column 3, lines 20-25, lines 36-38); an algorithm (inherent converter has an algorithm for selecting formats) selects one of said first and second data converters.

As concerns claim 16, a first, second and third transformation servers (16a-d,18a-d); first, second and third data converters (16a-d,18a-d); said third transformation server is offline (server may be down or offline at a point in time); said one of said servers includes an algorithm to evaluate and select one of said converters (inherent server includes an algorithm for the file conversion software/application).

As concerns claim 18, said communication network is a computer network (figure 1); said client is a computer (figure 1).

As concerns claim 19, a first and second transformation servers (16a-d,18a-d); first and second data converters (16a-d,18a-d); said one of said servers includes an algorithm to evaluate and select one of said converters (algorithm based on receivers desired format and converted to that particular format).

As concerns claim 21, a first routine (conversion to universal format, 16a-d) and a second routine (conversion from universal to second format, 18a-d).

Art Unit: 2151

As concerns claim 22, said first and second data formats are selected from the list comprising a file, facsimile data, scanned data and image data (email file, column 3, lines 20-32).

As concerns claim 23, wherein at least one of said first and second data formats is an application specific format (email file, column 3, lines 20-32).

As concerns claim 24, at least one of said first and second data formats is a hard copy (second email printed out into hard copy).

As concerns claim 25, at least one of said first and second data formats is selected from the list comprising HTML, RTF, facsimile data, scanned data, image data and printed data (second email printed out as printed data).

As concerns claim 26, said first and second data formats is selected from the list comprising a file, HTML, RTF, facsimile data, scanned data, image data, an application specific format, a hard copy and printed data (email file, column 3, lines 20-32; column 5, line 8).

As concerns claim 27, said request includes a data file in said first data format, a definition of said second data format and an instruction for disposing said data in the second data format (message may instruct receiver to dispose of the message such that the second data is disposed).

As concerns claim 28, the data transformation system of claim 27 wherein said instruction is selected from the list comprising: holding said data in the second data format for a predetermined time for subsequent retrieval of said data in the second data format and opening a connection on said communication network between said client and said one of said transformation servers before returning said data in the second data format to said client,

Art Unit: 2151

returning said data in the second data format by opening a connection between said one of said transformation servers and said client before returning said data in the second data format to said client, keeping a connection open on said communication network between said client and said one of said transformation servers until after receiving said data in the second data format, mailing said data in the second data format, and copying said data in the second data format (column 7, lines 33-48).

As concerns claim 29, the data transformation system of claim 28 wherein said instruction is mailing said data in the second data format in an electronic mail message over said communication network (column 7, lines 33-38, message is an email).

As concerns claim 30 and 31, the data transformation system of Claim 28 wherein one of said transformation servers has disk storage (server inherently has hard drives, column 4, line 36, column 5, line 50, column 10, lines 39-40); and wherein said instruction is copying said data in the second data format to said disk storage over said communication network (server is part of communications network so when second data format is copied onto the disk storage it is copied over the communication network).

As concerns claim 32, the data transformation system of Claim 1 wherein said at least one client includes a plurality of client applications and a plurality of transformation servers (16a-d, 18a-d); and wherein said one of said transformation servers includes a routine (column 3, lines 20-25, applications for conversion and such have routines) for receiving requests from each of said client applications and transformation servers, and a queue (column 5, line 50, server has memory for storing data) for storing said received requests.

Art Unit: 2151

As concerns claim 33, the data transformation system of Claim 1 wherein said data in a first data format was created by an application (column 3, lines 20-31, column 5, lines 12-15), and wherein said one of said transformation servers initiates at least one data converter including a corresponding application to obtain said data in the second data format (column 3, lines 33-42, column 5, lines 12-15).

As concerns claim 34, the data transformation system of Claim 1 wherein said data in a first data format was created by a first application (column 5, lines 12-15), and wherein said one of said transformation servers initiates at least one data converter including a different second application to obtain said data in the second data format (column 4, lines 30-34).

As concerns claim 35, the data transformation system of Claim 1 wherein said data in a first data format was created by a first application (column 5, lines 12-15); wherein said one of said transformation servers initiates at least one data converter including a corresponding first application to obtain data in said intermediate data format (column 3, line 31- universal format, column 4, line 24 – internal format), and initiates at least one data converter including a second different application to obtain said data in said second data format (column 4, lines 30-34).

As concerns claim 36, the data transformation system of Claim 35 wherein said one of said transformation servers includes an algorithm (inherent for application or program for conversion to have an algorithm) to evaluate and select said at least one data converter including a corresponding first application (column 5, lines 12-15) and said at least one data converter including a second different application (column 4, lines 30-34, column 3, lines 40-42).

As concerns claim 37, the data transformation system of Claim 35 wherein some of said data converters are remote from said one of said transformation servers (server for second data

Art Unit: 2151

conversion may be remote, 18 remote from 14); and wherein said one of said transformation servers includes a routine (column 4, lines 30-34) to invoke said remote data converters.

As concerns claim 38, the data transformation system of Claim 35 wherein some of said data converters are local to said one of said transformation servers (14); and wherein said one of said transformation servers includes a routine (routine in application/program to perform transformation) to invoke said local data converters.

As concerns claim 39, the data transformation system of Claim 35 wherein a first set of said data converters are remote from said one of said transformation servers (plurality of 14's each may be remote from the other), and a second set of said data converters are local to said one of said transformation servers (14); and wherein said one of said transformation servers includes an algorithm (inherent for application or program for conversion to have an algorithm) to evaluate and select some of said first and second sets of said data converters, a routine (routine in application/program to perform transformation) to invoke one of the first set of said data converters, and a routine (routine in application/program to perform transformation) to invoke one of the second set of said data converters.

As concerns claim 40, the data transformation system of Claim 39 wherein said edges include a first edge, a second edge and a third edge; wherein said transformation servers include a first transformation server having a first data converter (16d) for the first edge, and a second transformation server having a second data converter (18a) for the second edge, said first and second transformation servers being remote from said one of said transformation servers, which has a third data converter (18d) for the third edge; and wherein said algorithm evaluates and selects the first data converter in the first transformation server, the second data converter in the

Art Unit: 2151

second transformation server, and the third data converter in said one of said transformation servers (selection based on destination and format desired, column 4, lines 30-34).

As concerns claim 48, a method for transforming data in a heterogeneous computer system, said method comprising the steps of: initiating a request for transformation of data in a first data format to data in a second data format (column 3, lines 20-42); communicating said request over a communication network (figure 1), receiving said request in one of a plurality of peer transformation servers (14, 16, 18); including with each of said peer transformation servers a plurality of data converters and a representation of data transformations between a plurality of input data formats associated with at least some of said peer transformation servers and a plurality of output data formats associated with at least some of said peer transformation servers (column 3, lines 20-42); including with said representation a plurality of unidirectional edges, with each one of said edges extending from one of said input and output data formats to another of said input and output data formats (figure 1); providing at least one of said data converters for each of said edges (14, 16 and 18 each may have a data converter); selecting at least one intermediate data transformation from said first data format to at least one intermediate data format; selecting a final data transformation from said intermediate data format to said second data format (column 3, lines 39-42); initiating a plurality of said data converters corresponding to said selected intermediate and final data transformations, in order to obtain said data in the second data format; and disposing said data in the second data format (column 7, lines 21-26; user and receiving end may delete the data once done with it).

As concerns claim 49, the method of Claim 48 further comprising: including with each of said data converters a wrapper and at least one of an application and a device (column 5, lines 8-

Art Unit: 2151

13); and employing a common application programming interface to a corresponding one of said peer transformation servers with each of said wrappers (servers employ applications, column 5, lines 8-13).

As concerns claim 50, the method of Claim 49 further comprising: employing a script as one of said wrappers (table 3, postscript).

As concerns claim 51, the method of Claim 49 further comprising: requesting interaction by a human being from one of said wrappers (applications are interactive with users, user may determine which format they desire which is done by interacting with the applications).

As concerns claim 52, the method of Claim 51 further comprising: employing hard copy as said second data format; printing said hard copy; and requesting disposition of said hard copy by said human being (column 5, lines 5-7, data sent to fax and printed).

As concerns claim 53, the method of Claim 48 further comprising: employing a data file as said second data format (column 3, lines 36-38); and sending said data file over said communication network (figure 1).

As concerns claim 54, the method of Claim 53 further comprising: sending said data file as part of an electronic mail message (column 3, line 25).

As concerns claim 55, the method of Claim 53 further comprising: receiving said sent data file from said communication network; and displaying said received data file (figure 1).

As concerns claim 56, the method of Claim 55 further comprising: printing said received data file (column 5, lines 5-7, data sent to fax and printed).

As concerns claim 59, the method of Claim 48 further comprising: including with said request for transformation of data a source type to define said first data format (column 3, lines

Art Unit: 2151

25-26), a destination type to define to said second data format (column 3, lines 37-38); a file of said data in said first data format (column 3, lines 25-26), and disposition instructions for said data in said second data format (column 3, lines 37-38); and communicating said source type, said destination type, said file, and said disposition instructions over said communication network (column 3, lines 20-24).

As concerns claim 78, the method of Claim 48, further comprising: employing a file of voice data; employing a unique identifier, which identifies a person, application or device which originated the voice data; including said file of voice data and said unique identifier with said request for transformation of data; accessing a voice profile based upon said unique identifier; and employing said voice profile to convert said file of voice data to text data (column 5, lines 5-11).

As concerns claim 79, the method of Claim 48, further comprising: initiating a request for transformation of data in a third data format to data in a fourth data format; selecting one data transformation from said third data format to said fourth data format; initiating one of said data converters corresponding to said selected one data transformation, in order to obtain said data in the fourth data format; and disposing said data in the fourth electronic format (column 3, lines 20-42)

As concerns claim 80, the method of Claim 48, further comprising: employing a first transformation server including a first data converter for one of said edges (16a); employing a second transformation server including a second data converter for another one of said edges (18d); and initiating said first and second data converters, in order to obtain said data in the second electronic format (column 3, lines 40-42).

Art Unit: 2151

As concerns claim 81, the method of Claim 48 further comprising: employing a first transformation server including a first data converter for one of said edges (18d) and a second data converter (18e) for another one of said edges; and initiating said first and second data converters, in order to obtain said data in the second electronic format (column 3, lines 40-42).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,406,557 to Baudoin as applied to claim 1 above.

As concerns claim 17, does not explicitly recite said client is a transformation server. However other forms of computer equipment other than those shown may be used as a client (column 3, lines 2-4). Such a modification is seen as an obvious design choice.

Allowable Subject Matter

6. Claims 2-5, 8-15, 20, 32, 57, 58, 60, 61, 68-74 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2151

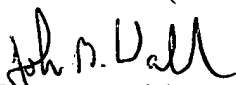
Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Friday from 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John B. Walsh
Primary Examiner
Art Unit 2151